

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA**

KEVIN JOSEPH KELLY and KARRIEM
BEY, on behalf of themselves and all others
similarly situated,

Plaintiffs,

v.

REALPAGE, INC., d/b/a On-Site

and

RP ONSITE, LLC.

Defendants.

Case No. 2:19-cv-01706

**PLAINTIFFS' MOTION TO SEAL
TESTIMONY FILED IN SUPPORT OF
PLAINTIFFS' MOTION TO COMPEL
CLASS COMPOSITION DISCOVERY**

Pursuant to L.R. 5.1.2 and 5.1.5, Plaintiffs Kevin Joseph Kelly and Karriem Bey, seek leave to file under seal Exhibit F to their forthcoming Motion to Compel Class Composition Discovery (the “Motion to Compel”), and references thereto in the Motion to Compel.

Exhibit F contains excerpts of the rough deposition transcript of one of Defendant RP On-Site, LLC’s corporate representatives, taken on February 12, 2020. During the deposition, counsel for Defendants stated on the record that it intended to make confidentiality designations, triggering the protections of the Stipulated Protective Order in place in this matter. Doc. 27. Defendants have until thirty (30) days after receiving the official transcript to make specific designations in writing, and until that time the entire transcript is treated as “confidential” under the terms of the protective order. *Id.* at ¶ V.B-C.

Pursuant to the protective order, all materials designated as “confidential” filed with the Court must be proposed to be filed under seal. *Id.* at ¶ IX. Plaintiffs have no knowledge regarding the basis for designating any of materials contained within Exhibit F as “confidential” and

therefore takes no position regarding whether the materials meet the applicable standard for sealing, but makes this motion to comply with the protective order.

Pending the Court's ruling on this motion, Plaintiffs contemporaneously filed Exhibit F and references within the Motion to Compel thereto under seal. Should the Court find that any of the material referenced herein should be publicly filed, Plaintiffs will promptly refile public versions of such material.

Dated: February 19, 2020

Respectfully submitted,

KEVIN JOSEPH KELLY AND KARRIEM
BEY, *by their attorneys,*

/s/John Soumilas

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing was electronically filed on this date and that service is therefore being made electronically on counsel of record for Defendant.

Date: February 19, 2020

/s/ John Soumilas
John Soumilas